

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

SAMUEL R. TAYLOR, #R02895,

Plaintiff,

vs.

Case No. 13-cv-00945-JPG

VIENNA CORRECTIONAL CENTER,

RANDY DAVIS,

MR. LOVE,

GLENN HOWARD,

BRETT CAMPBELL,

BRENDA SUITS,

RICK RIDGLEY, and

HAROLD BUCHEIMIER,

Defendants.

MEMORANDUM AND ORDER

GILBERT, District Judge:

On September 12, 2013, Plaintiff Samuel R. Taylor , an inmate in the custody of the Illinois Department of Corrections, housed at Vienna Correctional Center, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 (Doc. 1). By Order dated October 16, 2013, the Court concluded that the complaint, as drafted, failed to state a colorable constitutional claim (Doc. 6).

Plaintiff was directed to file a complaint by November 15, 2013 (Doc. 6). He was forewarned that failure to file a proper complaint by the prescribed deadline would result in the dismissal of this action, and that he would remain obligated to pay the filing fee. *See* 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998).

Plaintiff has not filed a complaint and the deadline for doing so has passed. It appears that Plaintiff has abandoned this action.

IT IS THEREFORE ORDERED that pursuant to Federal Rule of Civil Procedure 41(b), this action is **DISMISSED with prejudice** for failure to comply with a court order and failure to prosecute this action. Furthermore, this action is deemed frivolous for purposes of Section 1915(g); therefore Plaintiff will be allotted a **STRIKE** under the provisions of 28 U.S.C. § 1915(g). Judgment shall enter accordingly and this case will be closed.

IT IS FURTHER ORDERED that Plaintiff remains obligated to pay the filing fee. *See* 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998). A separate order shall enter regarding the collection of the fee (*see* Doc. 2).

IT IS SO ORDERED.

DATED: December 11, 2013

s/J. Phil Gilbert
UNITED STATES DISTRICT JUDGE